

## “WHAT WORK” AND “WHAT DOESN'T WORK” IN REHABILITATION OF OFFENDERS: A GENERAL PERSPECTIVE

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### ABSTRACT

*At present, Rehabilitation of offenders is a momentous issue of concern among all correction department of the world. (Astbury 2008). The major reason being that, in spite of passing gets tough sentences, the world prison population continue to grow at the rate higher than the general population rate. Hence, the liability of corrections extends far above punishment to reforms and rehabilitation (Howells and Day 1999). Now, there is robust evidence that, rehabilitation programs are effective in reducing recidivism. Researchers have shown that some programs are more effective than others. The dominant approaches in rehabilitation are collectively known as "what works" approach, which provides guidelines that are used to enhance the affectivity of offenders' rehabilitation programs. R-N-R Model is widely accepted principle that provides concrete basic guidelines for the development of rehabilitation programs. Many other models have been subsequently developed to strengthen the rehabilitation approach. Apart from general principles, the success of the rehabilitation program lies in the effective implementation of the theoretical part into practical light.*

*The aim of the paper is to discuss many of the approach that contributes to the effective development as well as implementation of rehabilitation programs. Literature provides ample information regarding "what works", but little has been discussed on the part or the factor that create barrier in effective implementation of the rehabilitation programs. Another section of the paper deals with the "what doesn't work".*

**KEYWORDS:** *What Works, Rehabilitation, Offenders R-N-R Principle & Approaches*

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### INTRODUCTION

There are more than 10.35 million people in the prison all around the world. The matter is great concern, as the world prison population has grown at rate of about 20% as against the growth of general population growth rate, which is 18% since the year 2000, where Seychelles (799 per 100,000) tops the list, followed by the United States (698). (Walmsley). US constitute only about 5% of the world population, but incarcerate more than 2 million prisoners' people or a quarter of the world's prisoner's population (Liptak, 2008). The greatest fear is that, prison population continue to rise sharply in some parts of the world (Walmsley). The ever-growing population is evident that, building more and more prisons and passing tough sentence in law is ineffective in reducing recidivism. It is argued that the liability of correctional services extend into wider range from incarceration to rehabilitation.

(Howells and Day 1999). The last few decades has witness resurgence in rehabilitation of offenders following an era of wide disillusionment of rehabilitation, after Martinton's study, where conclusion was nearly taken as "nothing works"(Howells and Day 1999).

Rehabilitation aims to serve two purposes; first being decline in the recidivism rate of offenders, and second improving public safety by encouraging the offenders to engage in pro-social lifestyle. Multiple strategies are developed and extents of programmes are now in existence to realise these objectives.(Wood, Kade, & Sidhu, 2009)

## **WHAT WORKS**

Now, as we can safely conclude that rehabilitation programs are influential in reducing recidivism rate on an average of around 20 %( Trotter and Flynn 2016). So, there is a wave of optimism that rehabilitation programs all over the world are instrumental in reducing recidivism rate and in improving community security as a whole.

A robust amount of evidence shows that some approaches have comparatively better results, while others don't. There are number of practical approaches that are capable of producing improved results, while others may fail to produce the desired outcomes. The desire to change on the part of the offender, the dedication level of staff, family support and community outlook play important role in successful implementation of rehabilitation programs. The approaches that have the ability to produce better results have some common underlying principles that they follow, and are commonly known as "what works" principles. Now, these principles have been widely accepted at international literature. (Astbury, 2008)

Andrews and Bonta (1998) have proposed numerous good practice principles that contribute positively in the rehabilitation of offenders as follows:

### **Risk Principle (Level of Treatment in Proportionate to Risk of Recidivism of the Offender)**

Offender's risk of reoffending must correspond to the intensity of rehabilitating program. Strategies must be formulated in accordance with the risk level of offenders by making a proper segregation between the high risk offenders and lower risk offender. The treatment level must match the risk level. The intensity of program required to be designed for low risk offenders must be less, as compared to the programs designed for high risk offenders. It was observed that application of high intensive program to low risk offenders either produce zero effect or may even prove to be counterproductive (Andrews, Bonta and Hoge1990).

So, there must be proper gradation of the programs according to the risk level of offenders on the foundation of precise evaluation of offenders risk category, so that, suitable program must be offered to the offender. A program that works effectively in case of one category of offenders may prove to be destructive for other category of offenders, due to a difference in risk group of the offenders. Therefore, the programs instead of looking everyone with one eye must give due attention to specific needs of the client (Astbury 2008).

### **Need Principle (Targeting Dynamic Needs Specific to Offender that are directly Co-related to Offending and are Amenable to Change)**

Need principle focus on specific need of the offenders that are directly related to offending: Researchers have differentiated the needs into criminogenic and non-criminogenic needs. Criminogenic needs are those needs that are directly related to the criminal behaviour like drug dependency, anti-social behaviour and criminal associates etc. Attention

must be focussed on criminogenic needs that are directly related to offending and are amenable to change rather than non criminogenic factors, like anxiety low self-esteem. By targeting the criminogenic needs specific to the offenders, likelihood of reoffending can be reduced. In case, treatment programs are designed with unnecessary high attention toward non criminogenic needs, programs are not only likely to fail, but may also prove to be counterproductive, like it can be observed that, general counselling provided to target non criminogenic need have the capacity to make offender more confident (Astbury 2008).

### **Responsivity Principle (Interventions in Uniformity with Offenders Learning Style)**

The Responsivity principle proposes that program designed must comply with the learning style of the offenders. Everyone have their own learning style, by matching the learning style of the offenders, the effectiveness of the interventions can be enhanced. Treatment programs must be customised in accordance with learning style best suitable to the offender, so that maximum output can be achieved. Initially, with awareness of the offenders learning style, a range of interventions like role playing, reinforcement of positive aspects, and restructuring of cognitive thoughts can be designed accordingly to increase the effectiveness of the interventions. (Astbury 2008).

The combination of above mentioned three principles are commonly denoted by R-N-R principles of offender's treatment.

### **Good Lives Model (GLM)**

RNR approach proposed by Ward and Brown (2004) is dominant approach governing the rehabilitation interventions, but the approach was criticized on the ground that, it pays more importance to offenders' needs that are specifically related to cognitive deficit and ignores the motivation and lust for material needs that form the basis of crime. GLM approach explains that offenders choose the path of crime if they lack skill to meet their needs by prosocial means so; they attempt to acquire them through wrong methods. GLM targets the earning capability of the offenders in order to fulfil their needs and emphasise that, if offenders are well equipped to attain goods through affective social accepted means, the likelihood of reoffending would decrease (Woods, 2009).

### **Cognitive Behaviour Therapy (CBT)**

Cognitive behaviour therapy is psychologically based offender's interventions, that focus on restructuring of thought patterns and beliefs that are responsible for antisocial activities. It is well developed therapy, which is used to challenge the underlying cognitions and attitudes of offenders and target at moulding or changing them, so as to reduce reoffending. The key element of CBT is cognitive distortion. Cognitive restructuring have proved to be effective in alteration of offenders behaviour. It intends to make changes in the root behaviour thinking level of the offenders for conditioning the brain to learn new thought patterns and learn new skills that are needed to behave in socially accepted manner. (Cognitive-Behavioural Therapy: Investment Brief, APR 2016)

### **Thinking for a Change**

Thinking for a change is propounded by Jack Bush, Barry Glick and Juliana Tayman as an integrated cognitive behaviour change program that is developed by National Institute of Corrections (NIC, National Institute of Corrections, 2016) for broad range of offenders group with different needs and abilities. T4C works on the premise that "By taking charge of our thinking, we can take control of our lives" The key components of T4C include Cognitive self-change, social

skills and problem-solving skills. Cognitive Self-Change focuses on conscious attention to the thoughts and feelings that go to the inside of an individual. It aims at the development of the skills to manage the thoughts and in avoidance of the kinds of thoughts and feelings that leads to trouble. Social Skills – the basic aim of this skill is to develop prosocial communications among the participants, so that, they are in better position to understand and became aware regarding the outcomes of their behavior on the others. Problem Solving Skills – the skill aims to develop skills for better choice making in a challengeable and stressful circumstances. (Crime Solutions. gov, 2012).

Thinking structure can be better understood with help of the concept of "iceberg analogy", where our actions are on visible upper side of the iceberg, but the danger part of the iceberg is beneath the surface, that we are unable to see that denotes our thinking pattern. The concept explains that unless we deal with thinking (the behaviour we cannot see), it is difficult to change the action, we can see. NIC has developed its own curriculum for the program to be offered to the clients.(National Institute of Corrections, 2016)

### **Program Integrity**

Program integrity is related to the gap between the target set and the target met. It emphasize on reduction of the deviance that occur between the actual designing of the programs and delivering of the treatment in practice. The responsibility of effective implementation of the interventions lies with the policy makers, program administration and service providers to minimize the gap in conversion of the theoretical framework of the program into reality and in practice. The action followed in the treatment of the offenders must adhere to the clearly framed objectives and rationale consistent with the human service. The staff must be properly trained and possesses appropriate qualification to work for the rehabilitation of offenders with integrity.

Program dosage is very crucial for the better result. The program must have adequate length and contact time. Lipsey observed that, more meaningful contact of adequate length time is associated with reduced recidivism. On the other hand, a program with inadequately qualified and poorly trained staff with short length and improper contact time may fail in addressing the reoffending of the offenders (MacKenzie 2006).)

## **OTHER FACTORS**

### **Life Skills Development Programs**

Life skill programs also contribute towards reduction of recidivism. These skills differ from basic education because, these skills emphasize on the qualities that assist person to change himself and become better being. Life skills focus on those aspects of the personality that helps offenders to successfully manage their day to day functioning of life. These skill programs are designed to help offenders to get employment and to effectively manage themselves in the social life. Programs include anger management, developing healthy interpersonal relations, anger and stress management, conflict resolution, cultural diversity training and many other areas that alter the thought process of the individuals. These skills help the offenders to view the problems from different perspective and to seek solution in a new way. With the development of life skills, offenders find opportunity in every difficult situation and tries to find solution in a more developed and socially accepted manner. (MacKenzie 2006).

### **Vocational Skills**

Vocational education is another educational program, which is broadly used in the correction structure because, it

laid emphasis on enhancing the employability of the offenders. Offenders are provided employment on release from prisons with the help of local trade's people, who contracts with correction for providing employment opportunities to the prisoners on their release. Under the project trade instructor guidance, the offenders can gain actual work experience. (MacKenzie 2006).

### **Digital Literacy**

After being incarcerated and segregation from the root society for many years, offenders face many hindrances in re-entering the workforce. Education provided to the offenders imbued with digital technology has a direct effect on recidivism rate. Many countries observed that, limited access to technology and use of digital tools under the supervision of the correction is capable of reducing recidivism and enhance employability skills in the offenders. In Norway, where, the limited internet access is provided to the prisoners has 20% low recidivism. Digital literacy assists the prisoners in quick adaptations of inmates when they are release back in the society.(Antonio & Helen 2015).

### **Attitude of the Staff**

The empathetic, warm, honest, patience attitude of the staff triggers the rehabilitation process. Staff must possess the requisite counselling skills, adequate education and professional values to deal with the clients'. Their firm but fair attitude is necessary in treating the offenders. They must be a patient listener and must have deep empathy and genuine care and concern toward the client, rather than just formal fulfilment of their duties.(Astbury 2008).

## **WHAT DOESN'T WORK**

Below mentioned are the major factors that contribute to the offender treatment positively and negatively, if they are not implemented properly and managed well. These can be seen as the significant barriers that usually work at different levels in the implementation of the community based correctional programs.

### **Client Perspective**

Unwillingness on the part of the client recently conceptualised as “treatment readiness” during the rehabilitation has an adverse effect on treatment effectiveness. Often, the participation of the offenders are involuntary, they show low level of engagement in treatment. Lower level s of attendance, high dropouts rates, unable to get along with facilitator are some of the constraints that create hindrance in effective treatments of the offenders. (Day et al. 2006).

High attrition rate in treatment failure refers to those who begin, but do not complete a treatment program. The data revealed that drop outs have the highest rate of reoffending that is 40% as compared with untreated which is 17% and treated 5%. (Day et al. 2006)

### **High Staff Turnover**

High staff turnover is another major handicap in effective implementation of offender's treatment program. Often offenders take a long time and great difficulty to get along the facilitator, to build good rapport and trust worthy relationship with the staff. In case of high staff turnover, offenders feel frustrated, as they have to dictate their personal stories again and again to the new facilitators. The possibility of success of the treatment program is positively correlated with stable, professional and well trained staff. (Astbury 2008)

### **Organisation Perspective**

Staffs are usually overburdened with the cases and newcomers are not adequately trained. Due to time, resource and financial constraints along with frequently changing structural environment of the organisation, cause difficulty for the staff and authorities in implementation of such changes so quickly. (Astbury 2008).

### **Holding Negative Outlook and Blaming Approach**

In absence of rehabilitation, tough attitude toward the offenders fails to reduce recidivism and even have the capacity to be counter effective. Punitive measures, Blaming and judgemental attitude for the offenders can prove to be detrimental in reducing recidivism. Concentrating on negative aspects or deficits rather than positive qualities, reduces the possibility of reformation.

Approaches such as holding a pessimistic view about the ability of the client to transform, not encouraging client's positive attitude or unreliability on the part of the therapist, his late arrival at the sessions and viewing the offender as a problem rather than viewing him as an individual etc. all lead to poor outcomes in the community based rehabilitation of the offenders (Trotter and Flynn 2016).

### **RESEARCH GAP (IN INDIAN CONTEXT)**

Since the ancient times, jails have been the important part of Indian society, commonly known as "house of captives". It was assumed that isolation and separation from the society, custodial remedies under the supervision of authorities have the capacity to reform and change the evildoer. But, the conditions of the prisons were inhumane. After many reviews of the various committees, a comprehensive study was undertaken under the All India Jail Committee (1919-1920), which proved to be ground-breaking in the prison reforms of the country. It was for the first time that rehabilitation and reformation were recognized as one of the purposes of jail supervision. (Ahmed, Jail reform in India: A study of Indian jail reform committees., 2016)

Today, many recreational activities are carried out in Indian jails healing the physical, emotional and the spiritual opportunity for self-development and inculcating a sense of social responsibility in the prisoners. Educational facilities and vocational training is provided to the inmates to make them adept to the society after their release. In Tihar jail, educational activities are taken care by NGOs and government. Study centres of the Indira Gandhi National Open University (IGNOU), New Delhi and National Institute of Open Schooling IGNOU and NIOS set up in the jail enrolling 2640 and 1900, respectively. Computer centres are also available for impartment of computer literacy to the inmates. Many other facilities are opened up in jails like libraries, yoga and meditation, organising festivals etc. Special provision of legal aid cell is provided in the prisons. For petty, compoundable offences, special Lok Adalats are organised in the courts for the confession of the guilt. (Tihar prisons)

In spite, these major reforms in Indian prisons, there are still miles to go in the path of reformation of Indian prisons. Major problems existing with the prison administration today also, to some extent overweigh these reformative measures. The chief issue being overcrowding of Indian prisons, most of the prisons in India are overcrowded and also lack proper segregation of inmates in terms of intensity of their offences, which is key to the application of proper implementation of rehabilitation programs (R-N-R Model discussed earlier in the paper). Overcrowding adversely affect the health of the prisoners. Proper segregation is also required to reduce the danger of moral contamination. Also, delay in

trials, ignorance of cleanliness and mental wellbeing of the inmates further aggravates the criminal environment in the jail. Infrastructure provided for the recreational facilities are also not up to the mark, like libraries are often under stocked. It is need for the hour that, Indian prison system must follow the path of scientific method and proved methods in the rehabilitation of offenders, taking into consideration its macro and micro environment and larger welfare of the society as a whole (Bhatt & Rawat, 2014).

## **CONCLUSIONS**

It seems apparent that, punishment only is not the important part of criminal justice system. Now, correctional services all around the world is appreciating the importance of providing the prisoners with appropriate guidance and services that can assist them in re-entering the society in a better and more effective way at post release from the prisons. Rehabilitation is not only a more humane approach toward criminal justice, but also cost effective and beneficial for prisoners and society at a large. The paper studied literature on best practice principles in rehabilitation of offenders. It can be concluded that programs that are appropriately planned and accordingly implemented with utmost integrity are more effective. Moreover, it can be observed on the basis of literature studied that, community based programs are more fruitful and cost effective when compared with rehabilitation programs provided in custodial settings. Various approaches mentioned in the paper assist the offender in enlightenment of positive qualities in them, and aims to develop these qualities. Models like R-N-R provide basic guidance in development of effective rehabilitation programs. Other models like GLM also help offenders in developing skill that enables them to fulfil their needs in prosocial manner. Beside these models, program and client characteristics also play a crucial part in reformation of offenders. Staff characteristic, positive and empathetic attitude on the part of the facilitator further provide strength to the rehabilitation process.

But, what needs to understand is that rehabilitation and reformation of offenders is not only the responsibility of the corrections. Family and society, at large, have to come forward to contribute effective rehabilitation of offenders, so that they can become responsible and useful asset for the nation and can contribute positively in nation's growth and development, and should gain respect and pride from the mainstream society.

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